

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

STATE OF TEXAS, *et al.*,

Defendants.

Civil Action No. 5:21-cv-844 (XR)
(Consolidated Cases)

CONSENT MOTION TO MODIFY SCHEDULING ORDER

The United States respectfully moves to modify the November 18, 2021 Scheduling Order, ECF No. 125, for good cause shown pursuant to Federal Rule of Civil Procedure 16(b)(4), in order to incorporate an agreement between all parties regarding the limitations on depositions of fact witnesses that Plaintiffs and Defendants shall be permitted to take in discovery in this action. The requested modification would add the following language to the Scheduling Order:

Number and Timing of Depositions

Pursuant to Federal Rule of Civil Procedure 30(a)(2)(A)(i), the parties may depose any person, including a party, without further leave of Court unless the deposition would result in more than 50 depositions or more than 250 hours of deposition testimony being taken under Rule 30 by the plaintiffs collectively, or by the defendants collectively. Further, the parties may depose any expert witness disclosed by an opposing party pursuant to Rule 26(a)(2) without regard to these limitations, but otherwise in accordance with the terms of Rule 30. This modification of the scheduling order shall not alter or amend any of the dates and deadlines in the Scheduling Order, including the May 13, 2022 deadline for completion of all fact discovery.

Good cause exists to modify the Scheduling Order to expedite discovery and to enable the parties to prepare for dispositive motions and trial. All parties have agreed to the proposed limitations on deposition discovery. Accordingly, the United States respectfully requests the Court grant the motion to modify the Scheduling Order.

DATE: March 4, 2022

Respectfully submitted,

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/s/ Michael E. Stewart
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CERTIFICATE OF CONFERRAL

Pursuant to Local Rule CV-7(G), I hereby certify that on several dates in February and March, 2022, my co-counsel and I met and conferred with counsel for all Plaintiffs and Defendants in this action regarding the proposed modification of the Scheduling Order. All parties have consented to the proposed modification of the Scheduling Order.

/s/ Michael E. Stewart

Michael E. Stewart

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CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2022, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system, which will send notification of this filing to counsel of record.

/s/ Michael E. Stewart

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